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EFFECTS OF FOOD LAW ENFORCEMENT

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NOV, 1929 \*

U. S. Department of Agriculture

A radio talk by Mr. F. B. Linton, Assistant to the Chief, Food, Drug and Insecticide Administration, delivered through Station WRC and 32 other stations associated with the National Broadcasting Company, October 31, 1929 at 1:30 p. m. Eastern Standard Time.

A bacteriologist of the Food, Drug and Insecticide Administration recently opened in his laboratory in Washington a can of shallots or onions, which had been packed in Italy but shipped to the United States for sale. This particular can was sent to the bacteriologist from Chicago by a Federal food inspector for test as it had been reported that another can from the same lot had been responsible for the serious illness of one man and the death of another. There was nothing in the appearance of the can or of its contents to indicate that anything might be wrong. The appearance and odor of the onions were normal. The bacteriologist fed some of the onions to guinea pigs. He also took a culture from the contents of the can so that he could identify any bacteria present which might make the onions poisonous. Within a few hours the guinea pigs were dead. The bacteriological examination revealed the presence of *B. botulinus* which produces a deadly toxin responsible for one of the most dangerous forms of food poisoning known, a form that usually causes the death of its victims within a few hours. Fortunately, botulism is extremely rare.

Branch stations of the Food, Drug and Insecticide Administration, located in the leading trade centers of the United States, were immediately advised by telegraph to remove from the market, as quickly as possible, every can of the bran involved. Likewise State and city food and health departments throughout the entire United States were advised of the dangerous character of this particular lot. In the meantime an investigation revealed that these canned onions had been distributed through a New York representative of the Italian packer to many cities and towns throughout the East and Middle West. The names and addresses of all dealers to which shipments had been made were obtained. More than three hundred dealers scattered from Connecticut to Colorado and intervening states had received some of the canned onions. In an incredibly short time, through the cooperative efforts of Federal, State and city food officials, operating under Federal and State food control laws, every can of the poisonous onions that could be found was embargoed, seized or destroyed, and completely removed from the market. No further illness or death from this cause was reported.

Last winter the country was alarmed by an epidemic of influenza. Many manufacturers of patent or proprietary medicines seized the opportunity to flood the market with so-called cures or preventives for this dangerous disease, hoping to reap a harvest of dollars from a national calamity. Medical authorities hold there is no known drug or combination of drugs which will prevent or cure influenza. The people who buy these false, fraudulent and worthless preparations not only waste their money, but often, through delay in obtaining the advice of competent physicians, neglect such proper treatment in the way of rest, diet, temperature control, and the like, as would afford the only known effective means of obtaining relief.

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The Food, Drug and Insecticide Administration, at the very beginning of the epidemic, issued a warning to medicine manufacturers that preparations falsely labeled as effective for the prevention or cure of influenza would constitute a violation of the Federal food and drugs act, if shipped within its jurisdiction. Notwithstanding this warning many manufacturers endeavored to sell throughout the country medicines falsely and fraudulently labeled. Drug inspectors were instructed to locate and seize all shipments found to be in violation of the law. Hundreds of shipments were seized and thus removed from the market and, in the course of events, have been, or will be, disposed of by the Federal courts, the decree in such cases usually being an order for the destruction of the entire shipment.

Seizing and destroying shipments of adulterated foods and drugs may be drastic action, as some in the trade allege, but such action is most effective in protecting consumers from adulterated foods and drugs, and also is effective in either forcing the law violator quickly to amend his practices or to go out of business. Seizure action, because of its quickness and effectiveness, is taken whenever practicable by Federal food officials if questions of economic fraud or public health are involved. If a shipment of a food or drug product known to be adulterated passes out of, or never reaches, the jurisdiction of the Federal Government, the assistance of State or city food officials is enlisted and the powers of State laws invoked to remove quickly the offending product from the market.

The Federal Government under the food and drugs act may not only seize misbranded and adulterated products but may also prosecute in the Federal courts the persons who violate its provisions. Those who violate the food and drugs act may, after conviction be fined, and, for repeated offenses, may be imprisoned. The criminal section of the act is invoked when necessary to bring about the correction of fraudulent or harmful practices.

The great majority of food manufacturers put out only sound, wholesome, truthfully labeled products. They go to great effort and great expense to insure that their products may not even accidentally be contaminated. Unfortunately, however, there are always a few individuals in every industry who will either deliberately adulterate and misbrand their products, or who are unwilling to go to the expense and pains necessary to insure that their processes are in accordance with modern principles of sanitary science and their products free from accidental contamination. It is this small minority of manufacturers that make it necessary for the Federal Government to apply drastic action in the form of seizure or criminal prosecution.

The Food, Drug and Insecticide Administration uses educational methods to bring about correction wherever such methods will be effective, and they are effective with the ethical members of an industry, who constitute the majority. To prevent violations of the act by showing how to put out a good product brings even better protection to consumers than to punish offenders after the act has been violated. A few years ago it became necessary to seize some shipments of canned blueberries from Maine because some of the berries were infested with maggots. Up to that time no effective methods had been found for separating maggoty blueberries from good blueberries. The Department sent specialists to Maine to study this problem and they developed an apparatus which effectively separated the fit and the unfit berries, making it possible to can only good, sound berries free from maggots. Practically all canners

of blueberries in Maine adopted this device, and are now able to put up a pack of blueberries that are excellent in every respect. You can now eat those delicious blueberry pies with full confidence that you are eating only blueberries. This is but one of many instances that might be cited. Effort is continually made to aid manufacturers in improving their processes and products, and the industries are quick to avail themselves of the improved methods.

By means of educational methods, seizure action and prosecution combined, the best results are obtained in food and drug control work. The effective enforcement of Federal and State food and drug laws has reduced adulteration that is harmful to health to the minimum. Harmful chemical preservatives in food, so common before the days of food law enforcement, are seldom found today. Formaldehyde, salicylic acid and boric acid, are no longer permitted in foods. Out of thousands of food samples analyzed yearly by Federal chemists and other thousands analyzed by State chemists, very rarely is a food product now found to be preserved with any of the chemical preservatives known to be harmful. The occasional harmful contamination of packaged foods from underprocessing, or other accidental cause, is now extremely rare when we consider the vast volume of such products annually consumed.

Adulteration in food products today is mostly economic in character, that is, intended to cheapen the article and may in no way affect its wholesomeness. These economic frauds including various forms of misbranding, all designed to extract extra dollars from the consumers pocket-book, are to-day the chief concern of food officials.

The effects of food law enforcement by Federal and State Governments may be summarized in the statement that, while a comparatively small percentage of adulteration and misbranding persists, the food supply today is, on the whole, freer from adulteration and misbranding than ever before in the history of this or any other nation.

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